



JON M. HUNTSMAN, JR.
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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

June 6, 2008

James Mascaro
James B Mascaro and Sons, LLC
7539 West Jem Circle
Herriman, UT 84096

Subject: Directive to Amend Notice of Intention, James B Mascaro and Sons, LLC., Barney Canyon Mine, S/049/0055, Utah County, Utah

Dear Mr. Mascaro:

It has come to the attention of the Division that the mineral ownership of area for your Barney Canyon Small Mining Operation is incorrectly listed as Wilshire Consulting Group, LLC. The correct owner of the mineral estate is the Utah School and Institutional Trust Lands Administration (SITLA).

Pursuant to Utah Code 40-8-13(b)(i), which states, "Before any operator begins mining operations, or continues mining... the operator shall file a notice of ... with the division. (b) The notice of intention ...shall include: (i) identification of all owners of any interest in a mineral deposit, including any ownership interest in surface land affected by the notice" (emphasis added).

You are hereby directed to:

- By June 30, amend your notice to correctly identify the mineral ownership of the land affected by your mining operation, and
- Cease all mining related activity, including the removal of any previously stockpiled material until you obtain a lease from SITLA. You can initiate this process with John Blake at (801) 538-5152.
- Reclamation of the site may be done in lieu of obtaining a lease.

Failure to comply with this directive may result in formal enforcement action being taken.

If you have any questions regarding this letter, please contact me at (801) 538-5258. or Lynn Kunzler at 538-5310. In reply, please refer to file S/049/0055.

Sincerely,

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:vs

cc: John Blake, SITLA

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